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**Town of North Reading**  
*Massachusetts*

TOWN CLERK  
NORTH READING, MA

*Community Planning*

**MINUTES**

**Tuesday, July 21, 2015**

Mr. Cristopher B. Hayden, Chairperson called the Tuesday, July 21, 2015 meeting of the Community Planning Commission to order at 7:30p.m. in Room 5 of the North Reading Town Hall, 235 North Street, North Reading, MA.

**MEMBERS**

**PRESENT:**

Christopher B. Hayden, Chairperson  
William Bellavance, Vice Chairperson  
Patricia Romeo, Clerk  
Warren Pearce  
Joseph Veno

**STAFF**

**PRESENT:**

Debra Savarese, Administrative Assistant

Mr. Hayden informed all present that the meeting is being recorded.

### **Minutes**

Mrs. Romeo moved, seconded by Mr. Pearce and voted 4-0: (Mr. Bellavance abstained)

that the Community Planning Commission vote to accept the minutes of July 7, 2015 as amended.

### **Rahnden Terrace – bond reduction**

Mrs. Romeo moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to accept the June 29, 2015 report from Design Consultants, Inc. and that the amount of \$10,749.75 be established as sufficient to ensure the completion of the Rahnden Terrace Subdivision (previous bond amount \$95,009.75)

### **0 Tower Hill Road – plan endorsement**

Mrs. Romeo moved seconded by Mr. Bellavance and voted 5-0:

that the Community Planning vote to approve the plan entitled, “Verizon Wireless, North Reading 4 MA, Tower Hill Road, North Reading, MA 01864, Middlesex county”; dated 5/9/2014; last revised 6/16/2015 and; drawn by Hudson Design Group LLC. Subject to the terms and conditions of the Certificate of Conditional Approval dated June 9, 2015.

### **Carpenter Drive – drainage & curbing discussion**

Stephen O'Neill, Trustee of 69 Chestnut Street Rear Realty Trust stated that the retaining walls are in and the Town Engineer, Mike Soraghan and has been inspecting the construction through the whole process. The road has been graded to approximately 6" of the final grade and a recycled concrete product is scheduled to complete the grading. Catch basins were delivered today with the manholes and will be put in tomorrow and Thursday. The next step would be the curbing. Six years ago a Cape Cod berm was proposed and this board said that they would prefer granite curbing and would split the costs. He would like to know if the Cape Cod berm is now an option because he spoke to the town engineer who said that he would prefer the Cape Cod because it is low profile, less expensive and the plows skim over it easier. The town engineer also said that if it was the DPW doing the project, it would definitely be a Cape Cod berm. The town engineer also made comments in reference to the turn-around for the fire apparatus saying that he would like to re-visit this because the project will consists of taking down a lot of trees.

Mr. Hayden stated that if the town engineer wants to re-visit the turn-around he needs to send a memo to the planning department. The problem is that without a turn-around the ladder truck will not be able to turn around.

Stephen O'Neill stated that the town engineer would speak to the fire chief and building inspector to see if they could come to an agreement in regard to the turn-around.

Mr. Hayden stated that granite curbing is on the approved plan, although the DPW was going to split the costs, the planning department does not have anything in writing stating this. The town engineer may be correct about Cape Cod berm being good for plowing on straight-away, but it does not survive the corners.

Mr. Pearce stated that he does plowing for the town and the granite curb does take the abuse and last better than Cape Cod.

Mr. Hayden stated that it may be possible to do a compromise of using granite curbing on the roundings and Cape Cod for the rest of the roadway. The road was graded for country drainage, but was not shown this way on the plan; it was all supposed to be captured.

Stephen O'Neill stated that it is going to do both.

Mr. Hayden stated that it will not work without curbing.

Stephen O'Neill stated that he does not have the money to pay for granite curbing. He really needs to know which one to use because he has the road scheduled for paving and there is a difference of how much roadway should be paved depending on which curbing is used.

Mr. Pearce stated that the DPW may have granite left over from another job that can be used for the roundings.

Mr. Hayden stated that he would speak to the town engineer and find out if the DPW has granite and if it can be used for the roundings.

John Reddy of 69 Chestnut Street stated that every time he has come to the meetings he has had complaints, but he wanted to let the board know that he is very pleased with the performance from the general manager and Mrs. McKnight has done an excellent job in keeping him posted throughout the project.

### **20 Maple Road – Determination of Access – P.H. 8:00PM**

Mrs. Romeo read the public hearing notice into the record.

Mrs. Romeo moved seconded by Mr. Veno and voted 5-0:

that the Community Planning Commission vote to grant the requested continuance of the public hearing for 20 Maple Road until Tuesday, August 25, 2015 @ 8:00PM.

### **Town-Owned Land – discussion**

Mr. Hayden asked if Mrs. McKnight was able to review the town-owned land list and find properties that the board has already submitted to the Board of Selectmen.

Mrs. Savarese stated that Mrs. McKnight did review the list and made notes for the board.

Mr. Hayden asked the board if they had any comments and then proceeded to go through notes on the list. Mrs. McKnight added map 12/parcel 123, Pluff Avenue for affordable housing at his request. Map 75/parcel 53 shown to be off of Bigham Road with 34,000 sq. feet has drainage from the end of his road (Swan Pond Lane) that goes into a stream, then into a wetlands pond and eventually ends up in the Ipswich River. The only thing that this property would be good for is for abutters.

Mr. Pearce stated that all of the roads in the vicinity of Nutter Road (map 17/parcel 53) have been identified as being in a high water table. There was a discussion at one time that if the town had done a sewer hook-up on Concord Street and the water could then be incorporated to a treatment plant behind the postal facility.

### **17 Anthony Road – Definitive Subdivision – P.H. 8:30PM**

Mr. Hayden stated that the meeting is being recorded.

Mrs. Romeo read the Public Hearing notice into the record.

Ken Lania of Cornerstone Land Consultants, Inc. stated that he is representing the applicant Joseph Germano and JCJ Realty. They met with the ZBA to ask that certain variances be granted to allow the applicants to move and relocate the existing single family home on 17 Anthony Road so that the applicants could gain access to the rear lot, known as 346R Haverhill Street. The goal is to create a 7-lot subdivision; the subdivision will enter through the property at 17 Anthony Road. They do have in its existing conditions, topography and an ORAD identified by the Conservation Commission that identifies an IBW, located as shown in its existing conditions primarily behind 21 and 23 Anthony Road. There is a larger BBW associated with the Skug River and this BBW runs through a gully to the rear of the parcels at approximately 27 Anthony Road to the end of Anthony Road. The goal is to subdivide the two properties with a right-of-way entering through 17 Anthony Road. They were trying to obtain an affordable housing lot on 17 Anthony Road through the ZBA, but was withdrawn by the applicant. The right-of way was then shifted and measures 977 linear feet. Under the zoning bylaws and rules & regulations they are allowed to have a roadway less than 1,000 linear feet as long as they loop the proposed water line service. All of the lots are greater than 40,000 sq. ft which meets the North Reading zoning requirements as well as the frontage. The IVW straddles both the interior

lots of 1 & 2 and the BBW is primarily located on lots 5, 4 and the remaining aspects of what was previously lot 159. The remaining portion of the property that goes out to Haverhill Street will be associated with lot 7. The goal with 17 Anthony Road parcel is to provide the town with the entire parcel that would have the right-of-way amount of 50' and also parcels A & B.

#### Layout & Utilities

The goal is to provide the appropriate utilities, grading, drainage, landscaping to meet the requirements of the Zoning Bylaw. The property is traversed by a 200' wide National Grid easement. The properties have been forwarded to National Grid and they are dealing with a real estate representative, Steven Towle for National Grid. He is reviewing the process of the plans and layout and will get back to them as soon as possible, but he does not expect to hear back from them for at least 90 days.

Mr. Hayden stated that he has an issue with this because they are putting structures in the ground/easement area without the permission of National Grid.

Ken Lania stated that this is how it typically works.

Mr. Hayden stated that this action should have been started a year ago, because even if this board gives a decision it is going to be based on National Grid's decision.

Ken Lania stated that even if this board approves the plan, National Grid does not give approval until they file for a building permit.

Mr. Hayden stated that National Grid may not approve the electrical systems, but he believes that prior approval for crossing their land is different and they really need to try to get that approval.

Ken Lania stated that he is trying and will continue to try. They plan to provide drainage inside the easement. At the end of the cul-de-sac, lot 4's septic system will be placed and the only other structures that will be in the easement are retaining walls. The electric company typically requires that there is not any parallel type activities done in their easement, but are allowed to span the easement perpendicular and this is what they are proposing this evening. The structures will be located on each individual lot, in their building areas. The building envelopes are approximately shown for the dwellings at 64' in width and approximately 28' in depth. Access will be provided to each dwelling via a driveway that comes off of the right-of-way contains a roadway measuring 28'. It does have a 4½' landscaped area on both sides and a 5' sidewalk on the northern side. They are proposing to loop the water within the right-of-way, but Mark Clark of the Water Department does not feel that this is acceptable. He will meet with Mark to discuss this issue with him. They did review the regulations for water designs in the North Reading Zoning and the Rules and Regulations and found that there is no governing paperwork on how to loop a water main in the Town of North Reading. They have provided detail of the water line services to each individual dwelling. This will be a 1" copper line that will come off of an 8" water main that they are proposing inside the right-of way. In addition, to the water main the

other utilities that are located within the right-of way are the underground telephone, electric and cable. A detail of the cross-section, on sheet DS1 that identifies the roadway and utility location has also been provided.

### Drainage

The drainage will consist of a closed drainage system that is split into two separate designs. The property itself is uphill from Anthony Road and measures approximately 20' to 22' in height, difference from Anthony Road. This has allowed them to split the roadway in half as far as the grading went, 500' of the grading directed back towards Anthony Road and 500' of the roadway directed towards the end of the cul-de-sac. Drainage systems will be split, the 500' section of the roadway will be entering into the front drainage system and the 500' rear portion would be entering into a drainage system directly adjacent to the wetland area BBW and to the northern most of the property in that area. Each lot will have its own recharge system for the roof-runoff. The existing topography allows them to have basins within the front area; the front area would collect that first 500' of roadway in three systems of catch basins. There will be a catch basin on either side do to the roadway crowning and will also install a downstream defender. Two of these downstream defenders are located in the front drainage system, one located in the middle basin and one entering the front basin. For the rear portion of the drainage, they will be collecting the run-off from the northern portion of the Andover lots and that portion will drain and be collected prior to entering the right-of-way, in a swale and catch basin system, with the retaining wall catching that water before it enter the roadway. The water will then enter into a closed drainage system, consisting of three sets of catch basins, six in total. This drainage system will be a closed system with a downstream defender as well, and then outlet into the rear detention basin.

The current layout for drainage provides a reduction in flow for the 2, 10, 25, 50 and 100 year storm. Pre-development conditions in the 2 year storm were provided from 4 separate design points.

Mr. Hayden stated that the Stormwater report needs to be submitted to the planning department for review. A revised plan also needs to be submitted with more detail that is required according to the department memos that were received.

Ken Lania stated that he will address all of the memos and submit to the planning department by next Friday. The grading is done to provide volume to the IBW, although it is concern of the neighbors to try to reduce as much flow to the rear of their parcels, he could only reduce as much as he can that would still allow the IBW to survive, so he tried to the maximum strength that is practical. There is a volume and flow rate reduction to the dwellings on Anthony Road that was a contention with the neighbors, when they met with them. They also agreed to look at additional grading and modification to the cul-de-sac because there is a concern with snow build up that could potentially happen in the future. He also reviewed Mr. Cook's attorney's letter and was not aware of the BBW scenario that was outlined in the letter. He will make a reduction and modification to the BBW alteration. The Fire Department's memo contained comments of



concern regarding new regulations. (see attached memo – Mass. State Fire Code 527CR1, Section 18.2.3.)

Water pressure: the PSI is somewhere between 60 and 80 PSI, in order to determine if there are additional flows he will need to do more calculations on it. The roadway design for the subdivision shows a 50' to 70' section on the entrance way of the roadway would be 2% as required and approximately 3 to 4% slope on the uphill to a maximum elevation of 119. The fire hydrants have been located at a distance of approximately 480' from each other, with each dwelling being within a 500' from the hydrant. In addition, the drainage system will collect all of the run-off prior to Anthony Road.

Mr. Bellavance asked why they are using 17 Anthony Road as access into the subdivision when there is a road further down with access to the back lot.

Ken Lania stated that this was a right-of-way that was left from the original design of Anthony road and is actually called "Future Street". During the time of the transfer the developer at the time mistakenly deeded over the rights of to the neighbors, so it is not useable.

Mr. Hayden asked if they filed with the Conservation Commission. This is usually done simultaneously with planning.

Ken Lania stated that Mrs. McKnight told him that they should file with the planning department first.

Mr. Pearce stated that the high tension wires should be put into the deeds for future owners.

Mr. Veno asked if only one sidewalk is to be provided.

Ken Lania stated that a subdivision in North Reading with less than a 1000' does not require a sidewalk.

Mr. Hayden stated that the street trees should be on the lots, because a lot of times they do not make it in the grass strip.

Luke Legere of McGregor & Legere representing Mr. Cook stated that the board has inquired a lot of the issues that he had identified. He submitted several legal documents/permits from the Department of Environmental Protection to the applicant in regard to work that was done years ago, in construction with the house. (see attached letter)

Virginia Duffy of 12 Anthony Road stated that she is concerned with the ladder truck being able to turn-around if they received snow this year, like we received last year.

Mr. Hayden stated that the fire department did review the plan and require a 100' in diameter and this is what they are providing.

Ken Lania stated that they are also modifying the cul-de-sac so it does not pitch back into the Anthony Road properties and they will also be providing a snow storage basin along the back side.

Chuck Jones of 16 Anthony Road stated that he is not as concerned with the roadway being across from his house as he is with water. He wanted to know what was going to happen with parcels A & B, and who will maintain it.

Mr. Hayden stated that these parcels will be deeded to the town. Although they usually have these parcels deeded to the abutters, so if he wanted this parcel it would be deeded to him free of charge.

Mr. Pearce stated that the parcel with the drainage would require an easement.

Bruce Reynolds of 27 Mohawk Road, Andover, Mass asked if there is a retention pond located in the rear.

Mr. Hayden stated that this is a vegetated wetland.

Shirley Kountze of 15 Mohawk Road, Andover, Mass asked how close to the Andover line would the trees be cut.

Ken Lania stated that they will be excavating the trees along the Andover and North Reading line.

Mr. Hayden stated that leaving the mature trees allows for buffering.

Ken Lania stated that it is not their goal to take every tree down, but they need to do grading in order to collect the run-off from the rear of the Andover properties.

Edward Sapienza of 25 Anthony Road stated that he has been involved in the project since the 1970's and Ronald Reagan said "trust and verify", which is what he will be doing. He is concerned with the roadway collecting water and believes that bonding this subdivision is a big issue.

Mr. Hayden stated that the town has a third party engineer firm that will be inspecting the construction of this subdivision.

Bob Hickey of 27 Anthony Road asked if a list could be provided to them of prior subdivisions that they worked on.

Ken Lania stated that he would provide this list.



Ryan Brooks of 2 Anthony Road asked who grades the conservation land. He is also concerned with water issues because Victoria Road floods

Ken Lania stated that the Conservation Commission will verify the information.

Fran Hachey of 7 Wyoming Avenue representing his daughter who lives at 346 Haverhill Street stated that they are concerned that there will be no buffering between her property and the new subdivision. He is also concerned about the height of the retaining wall.

Joanne Herook of 43 Anthony Road stated that when she first bought her home there was only one sump pump in her basement. She now has two sump pumps and is very concerned that it will get worse with this new subdivision.

Mrs. Romeo moved seconded by Mr. Bellavance and voted 5-0:

that the Community Planning Commission vote to grant the requested continuance of the public hearing for 17 Anthony road until Tuesday, August 4, 2015 @8:00pm.

Adjournment at 10:50PM

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia Romeo". The signature is written in dark ink and is positioned above a horizontal line.

Patricia Romeo, Clerk